



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/085,526	02/26/2002	Helmut Heide	930008-2066

## CONFIRMATION NO. 1405

20999

FROMMER LAWRENCE & HAUS  
 745 FIFTH AVENUE- 10TH FL.  
 NEW YORK, NY 10151



### FORMALITIES LETTER



\*OC00000007873291\*

Date Mailed: 04/16/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

### FILED UNDER 37 CFR 1.53(b)

#### *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- **The balance due by applicant is \$ 195.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);

05/24/2002 YPOLITE1 00000015 10085526

01 FC:205	65.00 DP
02 FC:139	130.00 DP

*AB*  
*Customer Service Center*  
*Initial Patent Examination Division (703) 308-1202*  
*PART 2 - COPY TO BE RETURNED WITH RESPONSE*



930008-2066

MPQ

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Helmut Heide, Joachim Pabst, Albrecht Dinkelaker and  
Olaf Pobantz

Serial No.: 10/085,526

Filing Date: February 26, 2002

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

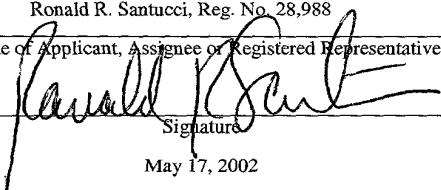
For: RESORBABLE BONE REPLACEMENT AND BONE FORMATION MATERIAL

745 Fifth Avenue  
New York, New York 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner of Patents and Trademarks Washington, DC 20231, on May 17, 2002.

Ronald R. Santucci, Reg. No. 28,988

Name of Applicant, Assignee or Registered Representative

  
Signature

May 17, 2002

Date of Signature

Assistant Commissioner  
For Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Dear Sir:

In response to the Notice to File Missing Parts mailed April 16, 2002 for the above referenced application, Applicants enclose the following:

- 1.) a copy of the Notice to File Missing Parts;
- 2.) a fully executed declaration;

3.) a certified English translation of the application;

4.) a Preliminary Amendment;

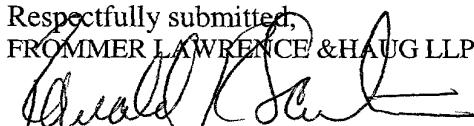
5.) Transmittal of the Priority Document (German Patent Application No. DE 199 40 717.7 filed August 26, 1999);

6.) Transmittal of Substitute Drawings; and

7.) A check in the amount of \$195 which includes the surcharge for late filing of a declaration by a small entity (\$65) and the surcharge for late filing of an English translation of the application (\$130).

The Commissioner is authorized to charge any additional fees that may be required to Deposit Account No. 50-0320.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By: 

Ronald R. Santucci  
Reg. No. 28,988  
(212) 588-0800



930008-2066

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Ronald R. Santucci, Reg. No. 28,988

Name of Applicant, Assignee or Registered Representative

Signature

May 17, 2002

Date of Signature

Assistant Commissioner  
For Patents  
Washington, D.C. 20231

**TRANSMITTAL OF SUBSTITUTE DRAWINGS**

Dear Sir:

In response to the Notice to File Missing Parts mailed April 16, 2002, Applicants enclose herewith new drawing sheets for the above referenced patent application. The six new drawing sheets comprise Figures 1 through 5b.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By:

  
Ronald R. Santucci  
Reg. No. 28,988  
(212) 588-0800

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